

JC10 Rec'd PCT/PTO 09 MAY 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hidaka et al. Examiner: Unknown
Serial No.: 10/526858 Group Art Unit: Unknown
Filed: March 2, 2005 Docket: 08279.0829USWO
Title: PHARMACEUTICAL COMPOSITION AND METHOD FOR TREATING MALIGNANT TUMOR AND UTILIZATION THEREOF

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 May 4, 2005.

343

By:

Name: Casey Caron

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 3 Reference(s)
- ☒ Other: Copy of International Search Report mailed October 28, 2003
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

By:

Name: Brian H. Batzli

Reg. No.: 32,960

BHB/cjc



10/526858

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BND

By:

Name: Casey Caron

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed October 28, 2003.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

EP 0 754 682 A1 is the European equivalent of WO 95/27699 which is cited in the International Search Report mailed October 28, 2003.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
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Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: May 4, 2005

By



Brian H. Batzli
Reg. No. 32,960

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FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0 754 682 A1	5/1995	Europe				
	JP 2001-261649	9/2001	Japan			Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Hardman, J.G. et al. "Chemotherapy of Neoplastic Diseases." <i>Goodman & Gilman's The Pharmacological Basis of Therapeutics</i> , 9th Ed., 1996, pp. 1225-1232, & "IV: Miscellaneous Agents: Platinum Coordination Complexes". pp. 1269-1271

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EXAMINER	DATE CONSIDERED
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